IN THE HIGH COURT OF JUDICATUREAT BILASPUR (CHHATTISGARH)

W.P.NO.515/2002

PETITIONER : Shyamlal Pandey aged 59 years, S/o Late Ram Kumar Pandey, Asstt.Professor, Govt.College, Kurud, Distt.Dhamtari and R/o Masonet 18, Sector-1, Shantinagar, Raipur (Chhattisgarh)

V E R S U S

RESPONDENTS : 1.The State of Chhattisgarh through Secretary, Department of Higher Education, Mantralaya, D.K.S.Bhawan, Raipur (C.G)

2. The State of Madhya Pradesh Through Principal Secretary, Higher Education Department, Mantralaya, Vallabh Bhawan, Bhopal (M.P.)

3. Commissioner, Higher Education Government of Chhattisgarh, Science College Compound, Raipur (Chhattisgarh)

4. Joint Director, Treasury, Accounts & Pension, D.K.S.Bhawan, Raipur (Chattisgarh)

5. Principal, Government College, Kurud, Dist.Dhamtari (C.G.)

6. State Administrative Tribunal of Madhya Pradesh & Chhattisgarh, Through its Registrar, R.D.A. Building, Raipur (Chhattisgarh)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN NATURE OF CERTIORARI, MANDAMUS PROHIBITION AND OTHER SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS:

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

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मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	01.04.2002 **Shri Ashish Shrivastava, learned counsel for the petitioner.** **Dr. N.K.Shukla, Additional Advocate-General along with Shri Sanjay K.Agrawal, Deputy Advocate General for the State.** **Heard.** **The petitioner Shyamlal Pandey has filed original application bearing No.13/2002 along with application for grant of interim relief separately regarding change of his date of birth made by the respondents, before the State Administrative Tribunal.** **The petition has been admitted by the Tribunal but the prayer for interim relief has been rejected. Therefore, this petition has been filed before this Court for grant of interim relief.** **Since no other judge is available, now the matter has been placed before this Court according to the rules of the High Court.** **So far as interim relief is concerned, the decision of Division Bench of M.P.High Court reported in 1999 12(1) M.P.J.R. 596, S.P.Sharma Vs. State of M.P. & 4 others has to be taken in this regard.**	

[पीछे देखिये

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P.No.515/2002

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित --2--	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

In Burn Standard Company Limited Vs. Dinabandhu Majumdar reported in (1995) 4 S.C.C. 172, it was held by the Apex Court that "ultimately his claim for correction of birth date is found to be acceptable, the damage can be repaired by granting him all those monetary benefits."

Having thus considered, in the opinion of this Court no case for grant of interim relief so as to continue in service is made out. However, ultimately if his claim for correction of date of birth is found to be acceptable, the damage can be repaired by granting him all those monetary benefits which he would have received had he continued in service and accordingly it is directed.

In view of the above order, so far as this petition is concerned, is disposed of and it is directed that Tribunal shall decide the case as early as possible preferably within 4 months from the date of production of certified copy of this order.

Sd/-
Fakhruddin
Judge

Anjani/-

[पीछे देखिये